

★ SEP 20 2010 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, :

-against- :

JIMMY L. METCALF, :

Defendant. X

BROOKLYN OFFICE

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

09-CV-1173 (SLT)(RML)

TOWNES, United States District Judge:

On August 13, 2010, United States Magistrate Judge Robert M. Levy issued a Report & Recommendation ("R&R") recommending that Plaintiff's motion for a default judgment be granted. A district court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Nonetheless, when no objections are filed, many courts seek to satisfy themselves "that there is no clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee note (1983 Addition); *see also Edwards v. Town of Huntington*, No. 05-CV-339, 2007 WL 2027913, at *2 (E.D.N.Y. July 11, 2007). Although not required to do so, this Court has reviewed the record and is satisfied that there is no clear error. Accordingly, this Court hereby adopts Magistrate Judge Levy's R&R in its entirety.

Accordingly, this Court accepts and adopts Magistrate Judge Levy's Report and Recommendation dated August 13, 2010 in its entirety as the opinion of this Court. *See* 28 U.S.C. § 636(b)(1). Plaintiff's motion for a default judgment is GRANTED. Plaintiff is entitled to recover the amount of \$1,305.34, plus interest in the amount of \$754.19, and costs and disbursements in the amount of \$379.00. The Clerk of Court is directed to enter judgment in Plaintiff's favor and against the Defendant in the amount of \$2,438.53.

SO ORDERED.

s/Sandra L. Townes

SANDRA L. TOWNES
United States District Judge

Dated: September 15, 2010
Brooklyn, New York